



LOS OSOS GROUNDWATER BASIN RETROFIT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600

Promoting the Wise Use of Land ♦ Helping to Build Great Communities

LOS OSOS GROUNDWATER BASIN RETROFIT ORDINANCES

On April 22, 2008, the Board of Supervisors approved two plumbing retrofit ordinances for the Los Osos area. The ordinances address sea water intrusion into the lower aquifer zone of the Los Osos Groundwater Basin. To manage this serious problem, the ordinances require both new and existing development to help address this problem by retrofitting older, non-conserving toilets and showerheads with those that are water efficient. The ordinances will go into effect **May 22, 2008**.

Click on each link below to see additional information. The verification form and water conservation certificate are in draft form.

Title 19

All new development in Los Osos must retrofit enough existing homes and businesses to save twice the amount of water the new development would use. A retrofit credit table has been developed to calculate the savings of each retrofitted house or business. Water savings will be dependent on the volume of existing toilets. A 6.0 gpf toilet changed to a 1.28 gpf toilet will have more retrofit value than changing a 3.5 gpf toilet to a 1.28 gpf toilet. (5.2 credits versus 3.4 credits per retrofitted house).

- [Retrofit Notice](#)
- [Retrofit Verification Form](#)
- [Retrofit Credit Table](#)
- [Title 19 Ordinance \(full text\)](#)
- [How to tell if your toilet is a High Efficiency Toilet \(HET\)](#)

Before you purchase a replacement toilet, go to the toilet ratings on the California Urban Water Conservation Council's website cuwcc.org/MapTesting.lasso

The Maximum Performance Test (MaP test) contains ratings for hundreds of models of 1.6 gpf and 1.28 gpf toilets. The higher the rating (from 100 to 1,000), the better the toilet.



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

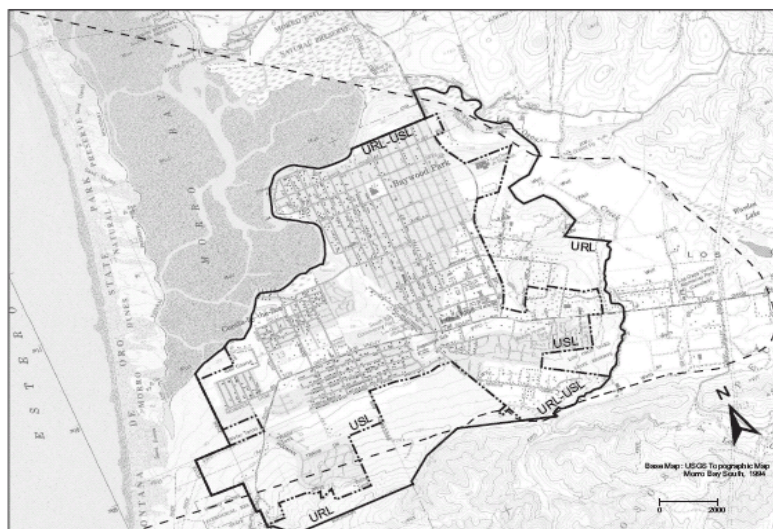
LOS OSOS RETROFIT PROGRAM

Building a house, an addition or a remodel in Los Osos? A plumbing (toilet and showerhead) retrofit program has been enacted in Los Osos effective **MAY 22, 2008**.

You must retrofit enough exiting homes and businesses to offset the amount of water to be used by the new development. A retrofit credit table has been developed so that every builder can see how many credits are available:

Remodels and additions require the structure to be retrofitted with new toilets and showerheads. High Efficiency Toilets (HET) rated at no more than 1.28 gpf and 2.5 gpm showerheads are required to be installed in retrofitted structures. A licensed plumber or contractor must complete and sign the Retrofit Verification Form. That completed form must be submitted to the Building Dept prior to issuance of a building permit for new structures.

Please see the Department website: www.sloplanning.org and go to What's New? There is information regarding this and the Title 8 Retrofit ordinance that requires properties to be retrofitted prior to sale.



Questions? Contact James Caruso (781-5702 or jcaruso@co.slo.ca.us) for more information.



TITLE 19: RETROFIT VERIFICATION FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

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1. Project Address / APN: _____
2. Installation performed by: _____
3. License / Certification #: _____

4. Applicant / Agent: _____
telephone: _____
5. Required Credits: _____
6. Total Credits: _____

Off-site Retrofit Locations:

| Address / APN | Use of Structure | Toilet Removed | Showerhead Removed | Toilet Installed | Showerhead Installed | Description / Notes | Credits |
|---------------|------------------|----------------|--------------------|------------------|----------------------|---------------------|---------|
| 1. | | | | | | | |
| 2. | | | | | | | |
| 3. | | | | | | | |
| 4. | | | | | | | |
| 5. | | | | | | | |
| 6. | | | | | | | |
| 7. | | | | | | | |
| 8. | | | | | | | |
| 9. | | | | | | | |
| 10. | | | | | | | |



LOS OSOS RETROFIT CREDIT TABLE

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Los Osos Plumbing Retrofit Program

RESIDENTIAL

| Existing Toilet | Replacement Toilet | Single-Family Residential Gallons Saved Per Day (Credits) | Multi-Family Residential ¹ Credits | Mobile Home ² Credits |
|---------------------|--------------------|---|---|----------------------------------|
| 6 gallons per flush | 1.28 gpf | 57 | 42 | 28 |
| 6 gpf | 1.1 gpf | 59 | 44 | 29 |
| 3.5 gpf | 1.28 gpf | 27 | 20 | 13 |
| 3.5 gpf | 1.1 gpf | 29 | 22 | 14 |

¹ Multi-Family Residential (MFR) is 75% of Single-Family Residential Water Use

² Mobile Home is 50% of Single-Family Residential Water Use

| Existing Shower | Replacement Shower | Single-Family Residential Gallons Saved Per Day (Credits) | Multi-Family Residential ¹ Credits | Mobile Home ² Credits |
|----------------------|--------------------|---|---|----------------------------------|
| 5 gallons per minute | 2.5 gpm | 19 | 14 | 10 |
| 5 gpm | 1.5 gpm | 26 | 20 | 13 |
| 2.5 gpm | 1.5 gpm | 8 | 15 | 4 |

Gallons Saved Per Day (Credits)

Installation of a Hot Water Recirculation System

17

Total retrofit credits needed for a new single family home is 900 gallons

1. All structures on a parcel must be retrofitted at the same time.
2. A third bathroom in a house does not have to be retrofitted.
3. Replacement toilets must be rated at no more than 1.28 gpf.
4. If two toilets are replaced in one household, the average gallons (credits) saved between the two will be used.

AN ORDINANCE AMENDING TITLE 19 OF THE SAN LUIS OBISPO COUNTY
CODE, THE BUILDING AND CONSTRUCTION ORDINANCE, BY AMENDING
SECTION 19.07.042 RELATING TO WATER CONSERVATION
IN THE LOS OSOS GROUNDWATER BASIN
AND ADOPT FINDINGS OF FACTS TO SUPPORT THE IMPOSITION OF
REQUIREMENTS GREATER THAN ESTABLISHED BY OR PURSUANT
TO THE CALIFORNIA BUILDING STANDARDS CODE

WHEREAS, California Health and Safety Code, Sections 18941.5 and 17958.5 authorizes the Board of Supervisors to make modifications or changes to the California Building Standards Code, including adopting more restrictive building standards, as it determines are reasonably necessary because of local climatic, geological, or topographical conditions;

WHEREAS, California Health and Safety Code Section 17958.7 requires the Board of Supervisors to make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions;

WHEREAS, the Board of Supervisors finds that each of the changes or modifications to measures referred to herein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the County of San Luis Obispo, and the Board of Supervisors further finds that the following findings support the local necessity for the changes or modifications:

FINDING 1

Geological: The County of San Luis Obispo is in an area of high seismic risk. Four active faults are within the county, each capable of generating large, damaging earthquakes. These faults are: the San Andreas Fault, which trends northwest-southeast near the eastern boundary of San Luis Obispo County; the San Simeon Fault, which is part of the larger Hosgri Fault Zone and parallels the coastline in the northern part of San Luis Obispo County; the Los Osos Fault, which parallels the Los Osos Valley a few miles southwest of the city of San Luis Obispo; and the Oceanic Fault, which runs from the city of San Luis Obispo northwest toward the community of Cambria, and was the fault responsible for the Magnitude 6.5 San Simeon earthquake that affected the region in December 2003. In addition, there are several potentially active faults within the county, including the Rinconada Fault, the Huasna Fault, and the Nacimiento Fault Zone. These faults could also produce large earthquakes.

Earthquakes from these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the county's building stock and infrastructure, and to public health and safety. These hazards include strong shaking causing collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings, pipelines (water, gas, sewage), marine facilities (docks, jetties), railroads, and airports. Fire from broken gas lines and the lack of water from broken water lines could result in major damage. Landslides caused by strong shaking, possibly in combination with wet weather conditions, could block highways and railroads, thereby isolating parts of the county and affecting emergency response. Earthquake-induced landslides could also produce rockfalls that could strike and damage buildings and vehicles. Tsunamis could inundate the coastline. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than set forth in Sections 903.2, 1505.1.5, and 1505.1.6 of the 2007 California Building Code and Section 230.70 of the 2007 California Electrical Code.

FINDING 2

Topographical: The County of San Luis Obispo has rural areas that are in very high fire hazard areas. Due to varied topography, access to structures in rural areas increases response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Large structure fires in the hillside areas will have a greater likelihood of starting a wildland fire, which may expose additional structures to fire. The above described problems support the imposition of built-in fire protection requirements greater than those set forth in Sections 903.2, 1505.1.5, and 1505.1.6 of the 2007 California Building Code and Section 230.70 of the 2007 California Electrical Code.

FINDING 3

Climatic: The hot, dry weather in combination with Santa Ana winds frequently results in wildland fires in areas of the County of San Luis Obispo. These conditions create an environment where the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the County without adequate fire department personnel to protect against and control such a situation. Climatic conditions in this jurisdiction have led to groundwater basin overdraft conditions that must be addressed through installation of lower water using fixtures such as toilets. During such periods, limited fire-fighting resources support the imposition of greater fire-protection requirements than set forth in Sections 903.2, 1505.1.5, and 1505.1.6 of the 2007 California Building Code and Section 230.70 of the 2007 California Electrical Code.

WHEREAS, the Board of Supervisors determines that the provisions of the State Building Standards Code are hereby modified, changed and amended, as provided for in this ordinance, and as previously provided in ordinance number 3139 (Chapters 19.01, 19.04, 19.40, and 19.80 and Sections 19.20.002 through 19.20.090, 19.20.150 through 19.20.380, 19.20.126 and 19.90.010 of the San Luis Obispo County Code are hereby repealed and replaced by new Chapters 19.01, 19.02, 19.03, 19.04, 19.05, 19.06, 19.07, 19.40, 19.80, and 19.85 and new Sections 19.20.126 and 19.90.010) based upon the foregoing findings and that said Board takes said action because of the public interest in protecting life and preserving public safety and property.

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 19.07.042 of the Construction Ordinance, Title 19 of the San Luis Obispo County Code, is hereby amended by revising subsection b as follows:

- b. Existing Structures.** In existing buildings, replacement water fixtures shall conform to the above requirements. In addition, all fixtures in an existing building shall be brought into conformance with these requirements when an alteration of that building meets either of the following criteria, except in the Los Osos Groundwater Basin as described in Subsection e.

- (1) A bathroom is added;
- (2) The floor areas is increased by twenty per cent (20%) or more

SECTION 2. Section 19.07.042 of the Construction Ordinance, Title 19 of the San Luis Obispo County Code, is hereby amended by adding new subsection e as follows:

- d. Nipomo Mesa Water Conservation Area.** In addition to the requirements in Section 19.07.042, all new installations in the Nipomo Mesa Water Conservation Area shown in Figure 20-1 shall include faucets in all bathrooms and kitchens equipped with automatic shut-off devices. In-lieu of faucets with automatic shut-off devices, a minimum of two high efficiency toilets (1.28 gallons maximum per flush) shall be installed.
- e. Los Osos Groundwater Basin:** In addition to the requirements in sections a, b and c above, the requirements in paragraphs (1) through (9) below shall apply to all new development that uses water from the Los Osos Groundwater Basin shown in Figure 20-2.

Los Osos
Groundwater
Basin Boundary

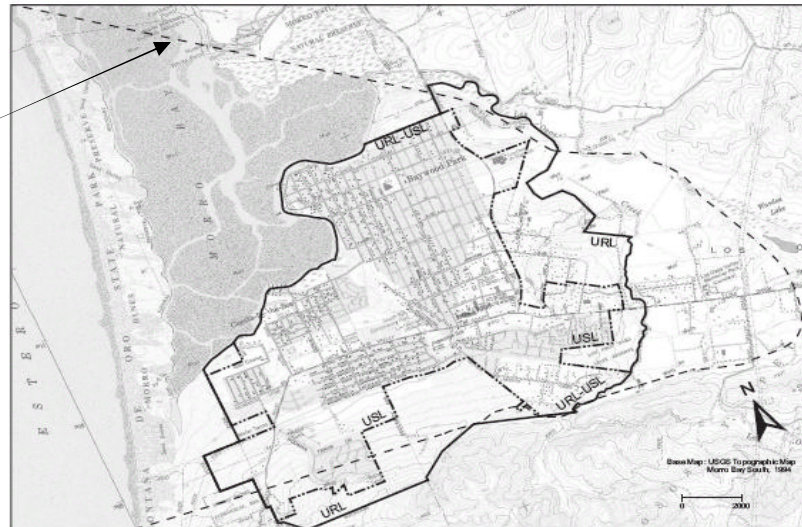


Figure 20-2: Los Osos Groundwater Basin: not to scale

- (1) The developer of any new structure that uses water from the Los Osos Groundwater Basin shall install plumbing fixtures that meet the following requirements:
 - i. Toilets rated at no more than 1.28 gallons per flush (HET);
 - ii. Showerheads rated at no more than 2.5 gallons per minute;
 - iii. Bathroom sink aerators with a volume of no more than 1.0 gallons per minute;
 - iv. Hot water circulation systems for master bathrooms and kitchens if the furthest plumbing fixture unit in these rooms is greater than twenty (20) pipe - feet from the hot water heater;
 - v. Commercial structures shall use waterless urinals;
 - vi. New residences shall be plumbed for grey-water systems pursuant to Chapter 16 of the Uniform Plumbing Code.
- (2) Prior to issuance of a construction permit for a new structure with plumbing fixtures that uses water from the Los Osos Groundwater Basin, the developer of such new structure shall retrofit plumbing fixtures in existing structures within the Los Osos Groundwater Basin. The number and type of plumbing fixtures to be installed shall be as required in the equivalency table as adopted and codified in Appendix A. The equivalency table indicates the point values of existing fixtures which may be retrofitted and the corresponding point requirements for each newly constructed or remodeled structure. A package of proposed retrofits and water conservation requirements must add up to no less than the minimum requirements established in Appendix A.
- (3) Any addition of 120 square feet or more to an existing structure that uses water from the Los Osos Groundwater Basin shall require the

replacement of plumbing fixtures in the entire structure with the following types of plumbing fixtures:

- i. Toilets rated at no more than 1.28 gallons per flush (HET);
- ii. Showerheads rated at no more than 2.5 gallons per minute;
- iii Bathroom sink aerators with a volume of no more than 1.0 gallons per minute;
- iv. All urinals in commercial structures shall be replaced with waterless urinals.

(4) Any remodel of an existing structure that uses water from the Los Osos Groundwater Basin that requires a construction permit pursuant to this Title, and that includes replacement of plumbing fixtures in the kitchen or any bathroom, shall require the replacement of plumbing fixtures in the entire structure with the following types of plumbing fixtures:

- i. Toilets rated at no more than 1.28 gallons per flush (HET);
- ii. Showerheads rated at no more than 2.5 gallons per minute;
- iii Bathroom sink aerators with a volume of no more than 1.0 gallons per minute;
- iv. All urinals in commercial structures shall be replaced with waterless urinals.

(5) The Planning Director (or designee) is authorized to make determinations for fixtures or projects not specifically designated in the equivalency table in Appendix A.

(6) The equivalency table in Appendix A may be amended by the Planning Director from time to time to reflect changes in water use and/or water savings.

(7) Owners of existing structures that are retrofitted under this program shall agree to allow their water purveyors to release water use figures to the Department of Planning and Building in order to gauge the effectiveness of the program to the extent allowed by California Law.

(8) Upon retrofitting of the required number of fixtures, the developer shall submit evidence of the completed retrofits to the Department of Planning and Building. This evidence shall consist of a Retrofit Verification Declaration completed and executed by a licensed plumber and/or contractor. The Retrofit Verification Declaration shall be used for development of a specific property or properties and shall not be transferred to another parcel.

(9) Upon submittal to the San Luis Obispo County Department of Planning and Building of a completed and executed Retrofit

Verification Declaration accompanied by the required fee, the developer shall be issued a Water Conservation Certificate from the Department of Planning and Building. Once the Water Conservation Certificate is issued, the new structure may receive final occupancy approval.

SECTION 3.. The project qualifies for a Categorical Exemption (Class 7) pursuant to CEQA Guidelines Section 15307 because the actions proposed will assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

SECTION 4. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 5. This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the ____ day of _____, 2008, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 2008, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairman of the Board of Supervisors,

County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

R. WYATT CASH
Acting County Counsel

By: _____
Deputy County Counsel

Dated: _____



LOS OSOS RETROFIT TOILET PROGRAM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
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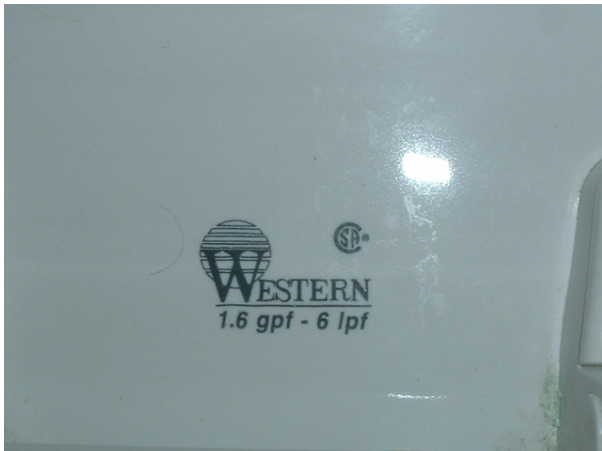
HOW CAN YOU TELL A TOILETS' "GALLONS PER FLUSH"?

It's fun and easy to check the type of toilets in your house or business. You can see immediately if you have a:

- 6.0 gpf
- 3.5 gpf
- 1.6 gpf

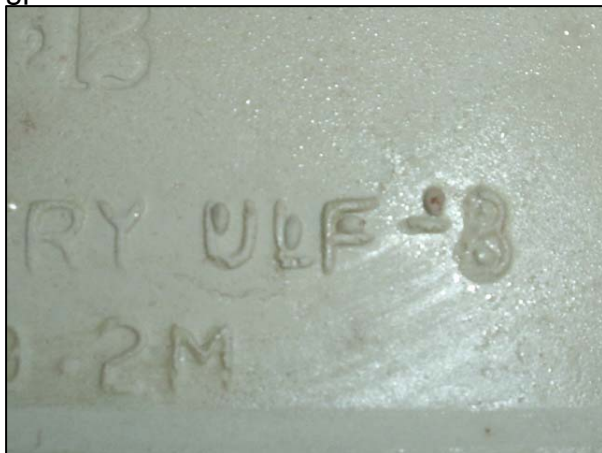
There are only two places to check:

Most 1.6 gallons per flush toilets are stamped on the top of the rim where it meets the tank like on (Picture A).



Picture A

Another way of checking is to take off the tank lid and look on the under side. You may see the letters – ULF – near the manufacture's name (picture B). This stands for - ultra low flow – or 1.6 gpf.



Picture B

What if the toilet doesn't say 1.6 gpf on the top side or the under side of the tank lid doesn't say ULF? In that case, a date (month, day and year) should be on the underside of the tank lid (Picture C):



Picture C

This toilet has a date of August 21, 1992. "Gallons per flush" ratings are based on the year stamped on the toilet lid:

| | |
|---|----------------|
| Before January 1, 1980 | 6.0 gpf |
| Between January 1, 1980 – and January 1, 1994 | 3.5 gpf |
| After January 1, 1994 – | 1.6 gpf |

The toilet in the picture above is a 3.5 gpf toilet.